

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 497 (2023)¹ Local elections in Albania (14 May 2023)

1. The Congress of Local and Regional Authorities of the Council of Europe (“the Congress”) refers to:

a. Article 1, paragraph 2, of the Committee of Ministers’ Statutory Resolution CM/Res(2020)1 on the Congress of Local and Regional Authorities of the Council of Europe;

b. Chapter XIX of the Rules and Procedures of the Congress on the practical organisation of election observation missions;

c. the principles laid down in the European Charter of Local Self-Government (ETS No. 122), ratified by Albania on 4 April 2000;

d. Congress Recommendation 377 (2015) on the local elections in Albania (21 June 2015), its explanatory memorandum and the Congress Information report on partial local elections in Albania (6 March 2022);

e. the invitation by the authorities of Albania, dated 9 January 2023, to observe local elections held in the country on 14 May 2023.

2. The Congress reiterates the fact that genuinely democratic local and regional elections are part of a process to establish and maintain democratic governance and that observation of grass-roots elections is a key element in the Congress’ role as guardian of democracy at local and regional levels.

3. The Congress acknowledges that, overall, the legal framework in Albania is conducive to holding democratic elections.

4. The Congress notes with satisfaction that:

a. the amendments to the Electoral Code in 2020 addressed some previous Congress recommendations and strengthened the overall electoral legal framework, in particular on the abuse of administrative resources and campaign finance;

b. the Central Election Commission (CEC), as reorganised by the 2020 amendments, worked in a transparent and efficient manner at the helm of a generally well-managed election administration;

c. a wide range of political subjects, including those who had boycotted the 2019 elections, fully participated in these elections, were able to campaign freely and presented voters with multiple alternatives, which is reflected in a more diverse political landscape in the newly elected local councils;

d. overall the election day was calm, peaceful and well administered, and counting, while lengthy, was assessed mostly positively;

e. the electronic voting system piloted in 401 polling stations on election day was overall rated positively with no major technical issues observed;

f. the requirement of a 50% quota of female candidates on lists was respected and as a result, women are well represented in local councils.

5. At the same time, the Congress expresses its concern on the following issues:

a. the overall politicisation of the lower-level election administration negatively affected its stability and professionalism and was reflected in the delays in appointment and regular recalling of appointees by political subjects, sometimes resulting in insufficient training;

b. the still burdensome requirements for independent candidates to participate in local elections, including on support signatures, airtime in the media and public funding, contributing to an uneven playing field;

c. the campaign was litigious, marked by a lack of genuine political debates and programmes and revolved predominantly around the confrontation between the leaders of main parties at the national level, with very little focus on local issues, to the detriment of local democracy;

d. the overall worrying situation of the media characterised by polarisation and high concentration of ownership, which contributed to self-censorship and shrinking editorial autonomy; also, the imbalance in media coverage due to the use of content pre-produced by political parties and rules for airtime significantly favouring parties represented in parliament;

e. the blurred distinction between official and campaigning activities, including at national level, along with the numerous reports of misuse of public resources and of pressure on public-sector employees unduly benefited the incumbents;

f. the late disbursement of campaign funds, the lack of a dedicated interim campaign finance report and the relatively limited sanctions in case of violations were not conducive to a level playing field between candidates and limited transparency and accountability;

g. the election day was marked by some notable incidents and procedural issues, including, *inter alia*, technical malfunctions of voter identification devices, lack of accessibility for voters with impaired mobility, gatherings outside voting centres, family and group voting, abuse of assisted voting and external interference in electoral processes;

h. the late decision by the Assembly and delayed procurement of e-voting devices did not allow sufficient time for independent scrutiny and voter education in the three pilot municipalities;

i. the registration of 1.5 million citizens *de facto* living abroad to vote in local elections despite their lack of genuine links with the municipalities increased the risk of fraud and manipulation;

1. Debated by the Chamber of Local Authorities during the 45th Session on 25 October 2023 and adopted by the Congress on 25 October 2023 (see document [CPL\(2023\)45-04](#), explanatory memorandum), rapporteur: Stewart DICKSON, United Kingdom (R, ILDG).

j. the percentage of women elected mayors remained low at 13% and the expected progress on the participation of women in decision making at the local level is stagnant.

6. In the light of the above, the Congress invites the Albanian authorities to:

a. revise the modalities of appointment and dismissal and reinforce training of members of electoral bodies at lower levels, in order to achieve depoliticisation to ensure professionalism of the whole electoral administration;

b. overhaul the provisions related to independent candidates in local elections, including by introducing a maximum threshold for collection of signatures and revising rules for fairer distribution of airtime and public funding;

c. review existing electoral and media legislation, in particular regarding the distribution of pre-produced content (Article 84.2.d of the Electoral Code), the use of official social media accounts and distribution of airtime among electoral subjects;

d. strengthen oversight and control mechanisms with regard to political party and campaign financing, including by introducing a requirement for political parties to submit an interim report on campaign finances ahead of the election day;

e. implement existing legislation and regulations related to the misuse of public resources and clarify the applicability of the Electoral Code to local elections;

f. strengthen the integrity of the voting process by reinforcing reliability and independent oversight of the use of electronic systems and consider the introduction of more dissuasive sanctions in case of electoral violations; ensure accessibility of polling stations for voters with impaired mobility;

g. revise the legal provisions on residence requirements for voter registration at the local level;

h. introduce incentive measures to strengthen the participation of women in mayoral races and to contribute to a balanced representation in decision-making positions at the local level.

7. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this Recommendation regarding the 2023 local elections in Albania and the accompanying explanatory memorandum in their activities relating to this member State.